

# House Amendment 8290

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1 1 Amend Senate File 2329, as passed by the Senate, as  
1 2 follows:  
1 3 #1. Page 1, by inserting before line 1 the  
1 4 following:  
1 5 <Sec. \_\_\_\_\_. Section 256D.2, Code 2007, is amended  
1 6 to read as follows:  
1 7 256D.2 PROGRAM EXPENDITURES.  
1 8 1. A school district shall expend funds received  
1 9 pursuant to section 256D.4 at the kindergarten through  
1 10 grade three levels to reduce class sizes to the state  
1 11 goal of seventeen students for every one teacher and  
1 12 to achieve a higher level of student success in the  
1 13 basic skills, especially reading. In order to support  
1 14 these efforts, school districts may expend funds  
1 15 received pursuant to section 256D.4 at the  
1 16 kindergarten through grade three level on programs,  
1 17 instructional support, and materials that include, but  
1 18 are not limited to, the following: additional  
1 19 licensed instructional staff; additional support for  
1 20 students, such as before and after school programs,  
1 21 tutoring, and intensive summer programs; the  
1 22 acquisition and administration of diagnostic reading  
1 23 assessments; the implementation of research-based  
1 24 instructional intervention programs for students  
1 25 needing additional support; the implementation of  
1 26 all-day, everyday kindergarten programs; and the  
1 27 provision of classroom teachers with intensive  
1 28 training programs to improve reading instruction and  
1 29 professional development in best practices, including  
1 30 but not limited to training programs related to  
1 31 instruction to increase students' phonemic awareness,  
1 32 reading abilities, and comprehension skills.  
1 33 2. This section is repealed June 30, 2009.  
1 34 Sec. \_\_\_\_\_. NEW SECTION. 256D.2A PROGRAM FUNDING.  
1 35 Beginning July 1, 2009, and each succeeding year, a  
1 36 school district shall expend funds received pursuant  
1 37 to section 257.10, subsection 11, at the kindergarten  
1 38 through grade three levels to reduce class sizes to  
1 39 the state goal of seventeen students for every one  
1 40 teacher and to achieve a higher level of student  
1 41 success in the basic skills, especially reading. In  
1 42 order to support these efforts, school districts may  
1 43 expend funds received pursuant to section 257.10,  
1 44 subsection 11, at the kindergarten through grade three  
1 45 level on programs, instructional support, and  
1 46 materials that include but are not limited to the  
1 47 following: additional licensed instructional staff;  
1 48 additional support for students, such as before and  
1 49 after school programs, tutoring, and intensive summer  
1 50 programs; the acquisition and administration of  
2 1 diagnostic reading assessments; the implementation of  
2 2 research-based instructional intervention programs for  
2 3 students needing additional support; the  
2 4 implementation of all-day, everyday kindergarten  
2 5 programs; and the provision of classroom teachers with  
2 6 intensive training programs to improve reading  
2 7 instruction and professional development in best  
2 8 practices including but not limited to training  
2 9 programs related to instruction to increase students'  
2 10 phonemic awareness, reading abilities, and  
2 11 comprehension skills.  
2 12 Sec. \_\_\_\_\_. Section 256D.4, subsection 3, Code 2007,  
2 13 is amended to read as follows:  
2 14 3. For each year in which an appropriation is made  
2 15 to the Iowa early intervention block grant program,  
2 16 the department of education shall notify the  
2 17 department of administrative services of the amount of  
2 18 the allocation to be paid to each school district as  
2 19 provided in subsections 1 and 2. The allocation to  
2 20 each school district shall be made in one payment on  
2 21 or about October 15 of the fiscal year for which the  
2 22 appropriation is made, taking into consideration the  
2 23 relative budget and cash position of the state  
2 24 resources. Moneys received under this section shall

2 25 not be commingled with state aid payments made under  
2 26 section 257.16 to a school district and shall be  
2 27 accounted for by the local school district separately  
2 28 from state aid payments. Payments made to school  
2 29 districts under this section are miscellaneous income  
2 30 for purposes of chapter 257. ~~A school district shall  
2 31 maintain a separate listing within its budget for  
2 32 payments received and expenditures made pursuant to  
2 33 this section. A school district shall certify to the  
2 34 department of education that moneys received under  
2 35 this section were used to supplement, not supplant,  
2 36 moneys otherwise received and used by the school  
2 37 district.~~

2 38 Sec. \_\_\_\_\_. Section 256D.4, subsection 4, Code 2007,  
2 39 is amended by striking the subsection and inserting in  
2 40 lieu thereof the following:

2 41 This section is repealed June 30, 2009.

2 42 Sec. \_\_\_\_\_. NEW SECTION. 256D.4A PROGRAM

2 43 REQUIREMENTS.

2 44 A school district shall maintain a separate listing  
2 45 within its budget for payments received and  
2 46 expenditures made pursuant to this section. A school  
2 47 district shall certify to the department of education  
2 48 that moneys received under this section were used to  
2 49 supplement, not supplant, moneys otherwise received  
2 50 and used by the school district.

3 1 Sec. \_\_\_\_\_. Section 256D.5, subsection 4, Code  
3 2 Supplement 2007, is amended to read as follows:

3 3 4. For each fiscal year of the fiscal period  
3 4 beginning July 1, 2004, and ending June 30, ~~2012~~ 2009,  
3 5 the sum of twenty-nine million two hundred fifty  
3 6 thousand dollars.>

3 7 #2. Page 6, line 23, by striking the words <one  
3 8 hundred one> and inserting the following: <one  
3 9 hundred>.

3 10 #3. Page 7, line 22, by striking the words <one  
3 11 hundred one> and inserting the following: <one  
3 12 hundred>.

3 13 #4. Page 8, line 21, by striking the words <one  
3 14 hundred one> and inserting the following: <one  
3 15 hundred>.

3 16 #5. Page 10, line 11, by striking the words <one  
3 17 hundred one> and inserting the following: <one  
3 18 hundred>.

3 19 #6. Page 11, line 16, by striking the word <one>.

3 20 #7. Page 12, by inserting after line 10 the  
3 21 following:

3 22 <Sec. \_\_\_\_\_. Section 294A.9, Code 2007, is amended  
3 23 to read as follows:

3 24 294A.9 PHASE II PROGRAM.

3 25 1. Phase II is established to improve the salaries  
3 26 of teachers.

3 27 2. For each fiscal year beginning on or after July  
3 28 1, 1992, the per pupil amount upon which the phase II  
3 29 moneys are based is equal to the per pupil allocation  
3 30 plus supplemental allocations for the immediately  
3 31 preceding fiscal year.

3 32 3. The department of education shall certify the  
3 33 amounts of the allocations for each school district  
3 34 and area education agency to the department of  
3 35 administrative services and the department of  
3 36 administrative services shall make the payments to  
3 37 school districts and area education agencies.

3 38 4. If a school district has discontinued grades  
3 39 under section 282.7, subsection 1, or students attend  
3 40 school in another school district, under an agreement  
3 41 with the board of the other school district, the board  
3 42 of directors of the district of residence either shall  
3 43 transmit the phase II moneys allocated to the district  
3 44 for those students based upon the full-time equivalent  
3 45 attendance of those students to the board of the  
3 46 school district of attendance of the students or shall  
3 47 transmit to the board of the school district of  
3 48 attendance of the students a portion of the phase II  
3 49 moneys allocated to the district of residence based  
3 50 upon an agreement between the board of the resident  
4 1 district and the board of the district of attendance.

4 2 5. If a school district uses teachers under a  
4 3 contract between the district and the area education  
4 4 agency in which the district is located, the school  
4 5 district shall transmit to the employing area

4 6 education agency a portion of its phase II allocation  
4 7 based upon the portion that the salaries of teachers  
4 8 employed by the area education agency and assigned to  
4 9 the school district for a school year bears to the  
4 10 total teacher salaries paid in the district for that  
4 11 school year, including the salaries of the teachers  
4 12 employed by the area education agency.

4 13 6. If the school district or area education agency  
4 14 is organized under chapter 20 for collective  
4 15 bargaining purposes, the board of directors and  
4 16 certified bargaining representative for the licensed  
4 17 employees shall mutually agree upon a formula for  
4 18 distributing the phase II allocation among the  
4 19 teachers.

4 20 7. For the school year beginning July 1, 1987,  
4 21 only, the parties shall follow the procedures  
4 22 specified in chapter 20 except that if the parties  
4 23 reach an impasse, neither impasse procedures agreed to  
4 24 by the parties nor sections 20.20 through 20.22 shall  
4 25 apply and the phase II allocation shall be divided as  
4 26 provided in section 294A.10. Negotiations under this  
4 27 section are subject to the scope of negotiations  
4 28 specified in section 20.9. If a board of directors  
4 29 and certified bargaining representative for licensed  
4 30 employees have not reached mutual agreement by July  
4 31 15, 1987, for the distribution of the phase II  
4 32 payment, section 294A.10 will apply.

4 33 8. If the school district or area education agency  
4 34 is not organized for collective bargaining purposes,  
4 35 the board of directors shall determine the method of  
4 36 distribution.

4 37 9. Subsections 2, 3, 4, and 7 are repealed June  
4 38 30, 2009.

4 39 Sec. \_\_\_\_\_. Section 294A.10, Code 2007, is amended  
4 40 by adding the following new subsection:  
4 41 NEW SUBSECTION. 5. This section is repealed June  
4 42 30, 2009.

4 43 Sec. \_\_\_\_\_. Section 294A.22, Code 2007, is amended  
4 44 to read as follows:  
4 45 294A.22 PAYMENTS.

4 46 1. Payments for each phase of the educational  
4 47 excellence program shall be made by the department of  
4 48 administrative services on a monthly basis commencing  
4 49 on October 15 and ending on June 15 of each fiscal  
4 50 year, taking into consideration the relative budget  
5 1 and cash position of the state resources. The  
5 2 payments shall be separate from state aid payments  
5 3 made pursuant to sections 257.16 and 257.35. The  
5 4 payments made under this section to a school district  
5 5 or area education agency may be combined and a  
5 6 separate accounting of the amount paid for each  
5 7 program shall be included.

5 8 2. Any payments made to school districts or area  
5 9 education agencies under this chapter are  
5 10 miscellaneous income for purposes of chapter 257.

5 11 3. Payments made to a teacher by a school district  
5 12 or area education agency under this chapter are wages  
5 13 for the purposes of chapter 91A.

5 14 4. If funds appropriated are insufficient to pay  
5 15 phase II allocations in full, the department of  
5 16 administrative services shall prorate payments to  
5 17 school districts and area education agencies.

5 18 This subsection is repealed June 30, 2009.

5 19 Sec. \_\_\_\_\_. Section 294A.25, subsection 1, Code  
5 20 2007, is amended to read as follows:

5 21 1. For the fiscal ~~year period~~ beginning July 1,  
5 22 2003, and ~~for each succeeding year ending June 30,~~  
5 23 ~~2009,~~ there is appropriated each fiscal year from the

5 24 general fund of the state to the department of  
5 25 education the amount of fifty=six million eight  
5 26 hundred ninety=one thousand three hundred thirty=six  
5 27 dollars to be used to improve teacher salaries. The  
5 28 moneys shall be distributed as provided in this  
5 29 section.

5 30 Sec. \_\_\_\_\_. Section 294A.25, Code 2007, is amended  
5 31 by adding the following new subsection:  
5 32 NEW SUBSECTION. 1A. For the fiscal year beginning  
5 33 July 1, 2009, and for each succeeding year, there is  
5 34 appropriated from the general fund of the state to the  
5 35 department of education an amount not to exceed  
5 36 fifteen million six hundred thirty=three thousand two

5 37 hundred forty=five dollars. The moneys shall be  
5 38 distributed as provided in this section.  
5 39 Sec. \_\_\_\_\_. Section 294A.25, subsection 6, Code  
5 40 2007, is amended to read as follows:  
5 41 6. Except as otherwise provided in this section,  
5 42 for the fiscal ~~year period~~ beginning July 1, 2003, and  
5 43 ~~succeeding fiscal years ending June 30, 2009~~, the  
5 44 remainder of moneys appropriated in subsection 1 to  
5 45 the department of education shall be deposited each  
5 46 fiscal year in the educational excellence fund to be  
5 47 allocated in an amount to meet the requirements of  
5 48 this chapter for phase I and phase II.  
5 49 Sec. \_\_\_\_\_. Section 294A.25, Code 2007, is amended  
5 50 by adding the following new subsection:  
6 1 NEW SUBSECTION. 6A. Except as otherwise provided  
6 2 in this section, for the fiscal year beginning July 1,  
6 3 2009, and succeeding fiscal years, the remainder of  
6 4 moneys appropriated in subsection 1 to the department  
6 5 of education shall be deposited in the educational  
6 6 excellence fund to be allocated in an amount to meet  
6 7 the requirements of this chapter for phase I.>  
6 8 #8. Title page, line 4, by inserting after the  
6 9 word <basis> the following: <, and providing  
6 10 appropriations>.  
6 11 #9. By renumbering as necessary.  
6 12  
6 13  
6 14  
6 15 COMMITTEE ON EDUCATION  
6 16 WENDT of Woodbury, CHAIRPERSON  
6 17 SF 2329.202 82  
6 18 ak/sc/10669